

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-12 are currently pending. Claims 1, 5, and 9 are independent. Claims 1, 5, 7, and 9 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, and specifically at pages 9, 13, 19 and 20.

Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-3, 5-7 and 9-11 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,643,702 to Yeung (hereinafter, merely "Yeung") in view of U.S. Patent No. 6,636,922 to Bastiani, et al. (hereinafter, merely "Bastiani").

Claims 4, 8 and 12 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yeung and Bastiani and further in view of U.S. Patent No. 6,370,369 to Kraiem, et al. (hereinafter, merely "Kraiem") and further in view of U.S. Patent No. 6,693,915 to Lappetelainen, et al. (hereinafter, merely "Lappetelainen").

III. RESPONSE TO REJECTIONS

A. Rejections of Claims 1-3, 5-7 and 9-11

Independent claim 1, as amended, recites, *inter alia*:

“...transmitting means for determining, according to the destination information, whether the node serving as a destination of the data is connected to the second one of the buses,

wherein when it determines that the node is not connected, a data transmission source receives a predetermined error information;

wherein at least one packet of the data, transmitted to the node that is not connected, is processed as an error packet; and

wherein the destination information comprises a node ID and a bus ID.
(emphasis added)

As stated in Applicant's previous response, Yeung relates to a method for initializing an eligibility bit map and determining whether at least one eligible route has required resources available. Yeung defines cycle skewing as “when a large asynchronous packet is sent over a bus and the large packet is late, which may delay the start of the next cycle”. Therefore, Applicants submit that Yeung addresses the issue of cycle skewing such as an “unorderly” condition, in which a second packet is sent out before a first packet. However, Applicants submit that Yeung does not address the issue of resending a large asynchronous packet more than once, specifically when the destination of the large packet is not connected within the communication system.

Applicants note that the Office Action concedes that Yeung does not disclose determining the destination node is not connected.

As understood by Applicants, Bastiani relates to a host controller for enabling communication between a host computer and a device over a serial link is provided. The host

controller includes a bus interface circuit that is connected to a system bus of the host computer and enables code configuration of the host controller for operation, initializing the device, and sending commands to the device. A packet generator/decoder circuit is also provided for generating poll packets to be sent to the device and for sending and receiving packets to or from the device. Bastiani's apparatus does not allow communication between devices, only host-to-device communication (see col. 8, lin. 10-15). Further, in Bastiani's apparatus there is "**no address field in the pack**" since "addressing is done by physical positioning" on the network (see col. 25, lin. 5-10). This feature is a distinguishing characteristic of the instant invention, as recited in the specification and claim 1.

Applicants submit that nothing has been found in Yeung or Bastiani, taken alone or in combination, which would teach or suggest the above-identified features of claim 1. Specifically, neither Yeung nor Bastiani, taken alone or in combination, disclose or suggest a method or apparatus "wherein at least one packet of the data, transmitted to the node that is not connected, is processed as an error packet, and wherein the destination information comprises a node ID and a bus ID."

Therefore, Applicants respectfully submit that claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, amended independent claims 5 and 9 are also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 5 and 9 are patentable.

B. Rejections of Claims 4, 8 and 12

Kraiem is disqualified as §103 prior art to the present application under the provisions of 35 USC §103(c). Under the provisions of 35 USC §103(c), as amended on

November 29, 1999, subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f) and (g) of 35 USC §102, shall not preclude patentability under §103 where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person or organization.

Kraiem and the present application were, at the time the present invention was made, subject to an obligation of assignment to the same organization, i.e., Sony Corporation. Such obligation is evidenced by the recording of assignment documents in the U.S. Patent and Trademark Office.

Accordingly, Kraiem is disqualified as prior art in a rejection under 35 USC §103(a); and thus all of the outstanding rejections based upon Kraiem in the above-noted Office Action are overcome.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the

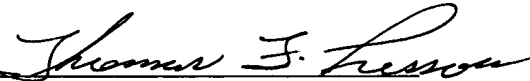
Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800